

REMARKS

Claims 62-88 are now pending in the application. By this paper, Claims 62-88 are added and Claims 24-28, 30-47, and 49-61 have been cancelled without prejudice or disclaimer of the subject matter contained therein. The basis for these new claims can be found throughout the specification, claims, and drawings originally filed. No new matter has been added. The following remarks are believed to be fully responsive to the outstanding Office Action and are believed to place the application in condition for allowance. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

CLAIM OBJECTIONS

Claim 52 stands objected to for reciting the term "hold" rather than reciting the term "hole." Applicant notes that Claim 52 was amended in the Response filed September 15, 2006 to correct the above-described typographical error. Accordingly, reconsideration and withdrawal of the objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 24-26, 28, 30, 31, 35-37, 42-47, 49, 51-53 and 56-61 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Yoshita (J.P. Pat. No. 58-194627). This rejection is respectfully traversed.

Applicant respectfully submits that these rejections are moot, as Claims 24-26, 28, 30, 31, 35-37, 42-47, 49, 51-53 and 56-61 have been cancelled without prejudice or

disclaimer therein. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 27, 38, 39, 41, 50 and 55 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshita in view of Bates et al. (U.S. Pat. No. 5,385,179).

Claims 32-34, 40 and 54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshita in view of Whitley, II. et al. (U.S. Pat. No. 5,507,324).

These rejections are respectfully traversed.

Applicant respectfully submits that these rejections are moot, as Claims 27, 32-34, 38-41, 50, 54, and 55 have been cancelled without prejudice or disclaimer therein. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

DOUBLE PATENTING

Claims 24-28, 30-49 and 50-61 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-32 of U.S. Patent No. 6,588,459.

Claims 24-28, 30-49 and 50-61 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-19 of U.S. Patent No. 6,330,893.

These rejections are respectfully traversed.

Applicant respectfully submits that these rejections are moot, as Claims 24-28, 30-49, and 50-61 have been cancelled without prejudice or disclaimer therein. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

NEW CLAIMS

New Claims 62-88 have been added for consideration. Applicant asserts a filler neck including a transition portion disposed between an inlet opening and an outlet opening in combination with a nozzle receptor that positions the nozzle relative to the transition portion such that a swirl is induced to fuel being supplied to the filler neck is not taught or fairly suggested by the prior art. Accordingly, Claims 62-88 are believed to be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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